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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,910	04/05/2004	Marcus Dill	13906-126001 / 2003P00395	2649
32864 7590 05/31/2007 FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER HARPER, LEON JONATHAN	
			ART UNIT 2166	PAPER NUMBER
			MAIL DATE 05/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/816,910	Applicant(s) DILL ET AL.	
	Examiner Leon J. Harper	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-12 and 14-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-12 and 14-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/3/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Status

1. The application has been examined. Claims 1-21 are rejected as detailed below and are pending in this office action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-12 and 14-26 are rejected under 35 U.S.C. 102(e) as being anticipated by US 2004/0164961 (hereinafter Bal).

Claim 1.

Bal discloses:

A computer-implemented method for performing a data analysis process~ the method comprising:

accessing an input identifying a data analysis process [Para 0005];

accessing user-defined data associated with the data analysis process, the user-defined data including sub-process indicators defining the data analysis process each

sub-process indicator identifying a sub-process associated with the data analysis process, [Para 0029]: wherein

at least one identified sub-process is a deployment sub-process for storing in electronic storage, a data attribute created in another one of the identified sub-processes [historical database (storing) Para 0029-0030], and

at least one identified sub-process is (1) an extraction sub-process for extracting data from a transactional data source, (2) a transformation, sub-process for transforming data extracted from the transactional data source from a data format used by the transactional data source to a data format used for analytical processing, (3) a loading sub-process for loading data into an analytical data source that is used for analytical processing, or (4) a data mining sub-process for creating a data attribute by performing an analytical process on data from the analytical processing data source; and performing the sub-processes identified by the sub-process indicators included in the user-defined data [extraction, transformation, loading, analytics, Para 0029, Fig 2, Fig 6-9, Para 0028].

Claim 3.

Bal discloses the elements to claim 1 as above and furthermore it discloses performing the deployment sub-process to store the data attribute in electronic storage comprises performing the deployment sub-process to store the data attribute

in one of a transactional data source, an analytical data store used for analytical processing [Para 0034, Fig 2, Fig 6-9].

Claim 4.

Bal discloses the elements to claim 1 as above and furthermore it discloses wherein one of the accessed sub-process indicators is associated with a computer program that causes the indicated sub-process to be performed [executes instructions (program), Para 0023].

Claim 5.

Bal discloses the elements to claim 1 as above and furthermore it discloses accessing meta-data elements to be used in the data analysis process wherein each meta,data element is associated with 1) a corresponding data element in the transactional data source, 2) a corresponding data element in the analytical process data source, or 3) both a corresponding data element in the transactional data source and a corresponding data element in the analytical process data source [pre-defined tables from which data can be accessed, Para 0030, 0041].

Claim 6.

Bal discloses the elements to claim 1 as above and furthermore it discloses each of the identified sub-processes are capable of sending messages that are sent using the same message format [Para 0031].

Claim 7.

Bal discloses the elements to claim 6 as above and furthermore it discloses having one of the identified sub-processes send a message to another of the identified sub-processes [Para 0033]; and

having the identified sub-process that receives the message perform a process in response to receiving the message [Para 0033].

Claim 8.

Bal discloses the elements to claim 1 as above and furthermore it discloses: accessing an indication defining how a particular error is to be processed during the data analysis process [Para 0033]; and

when the particular error is detected during the data analysis process, processing the particular error based on the indication defining how the particular error is to be processed [Para 0031].

Claim 9.

Bal discloses the elements to claim 1 as above and furthermore it discloses: accessing an indication identifying a computing device or a component of a computing device to be used during the execution of one of the identified sub-processes [Para 0024]; and

using the identified computing device or the component of the computing device during the execution of the one of the identified sub-processes based on the accessed indication [Para 0024].

Claim 10.

Bal discloses the elements to claim 1 as above and furthermore it discloses: the user-defined data provides an indication identifying an order for performing the identified sub-processes [Para 0029]; and

Performing the sub-processes comprises performing the sub-processes in the order identified by the user-defined data.[Para 0029].

Claim 11.

Bal discloses the elements to claim 1 as above and furthermore it discloses: accessing an indication identifying when the data analysis process is to be initiated [Para 0029]; and

controlling initiation of the data analysis process such that the initiation is based on the accessed indication [Para 0029].

4. Subject matter of claims 12,14-21 are rejected in the analysis above in claims 1,3-11 and these claims are rejected on that basis.

Art Unit: 2166

Claim 22.

Bal discloses the elements to claim 1 as above and furthermore it discloses: wherein the sub-process indicators identify multiple sub-process of the same type. [Para 0030].

Claim 23.

Bal discloses the elements to claim 1 as above and furthermore it discloses: wherein the sub-process indicators comprise a first sub-process indicator that5= identifies a sub-process of a first type and a second sub-process indicator that identifies a sub-process of the first type.[Para 0029]

Claim 24.

Bal discloses the elements to claim 1 as above and furthermore it discloses: accessing data identifying a first user-defined parameter for the first sub-process indicator.[Para 0029]; and

Accessing data identifying a second user-defined parameter for the second sub-process indicator, the second user defined parameter for the second sub-process indicator being different than the first user-defined parameter for the first sub-process indicator.[Para 0030],

Wherein performing the sub-process indicator in accordance with the first user-defined parameter and performing the sub-process of the first type identifies by the

Art Unit: 2166

second sub-process indicator in accordance with the second user-defined parameter
.[Para 0029, 0033]

Claim 25.

Bal discloses the elements to claim 1 as above and furthermore it discloses:

Accessing data identifying one or more user-defined parameter for each of the
sub-process indicators, wherein performing the sub-processes comprises performing
the sub-processes in accordance with the accessed user-defined parameters.[Para
0033]

Claim 26.

Bal discloses the elements to claim 10 as above and furthermore it discloses:

wherein the user-defined data is first user-defined data, the first user-defined data
including first sub-process indicators and providing an indication identifying a first order
for performing the first sub-process, the first order for performing the first sub-process
being different than the second order for performing the first sub-processes identified by
second user-defined data including the first sub-process indicators.[Para 0028-0029]

Response to Arguments

Applicant's arguments filed 1/30/2007 have been fully considered but they are not persuasive.

Applicant argues:

Bal does not describe or suggest accessing user-defined data associated with the data analysis process, the user-defined data including sub-process indicators defining the data analysis process, each sub-process indicator identifying a sub-process associated with the data analysis process, and performing the sub-processes identifies by the sub-process indicators included in the user-defined data as recited in amended independent claim 1. Bal merely performs a static data analysis process each time data analysis is needed. As such bal fails to disclose accessing user-defined data associated with the data analysis process.

Examiner responds:

Examiner is not persuaded. Reference is made to MPEP 2144.01 - Implicit Disclosure "[I]n considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." In re Preda, 401 F.2d 825, 826, 159 USPQ 342, 344 (CCPA 1968). In this case Bal discloses that data can be downloaded from data sources like Cnn, money and Yahoo Finance.(See paragraph 0028) Such sites as Yahoo Finance have personal pages where user can

Art Unit: 2166

input their finances in relation to work , student loans, retirement, taxes etc. Thus an artisan of ordinary skill in the pertinent art would realize that even though the information is downloaded from a financial data source the information can nonetheless be user defined data.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2166

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LJH
Leon J. Harper
May 25, 2007


Mohammad Ali,
Primary Examiner